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Forest related interventions and the stakeholders of forests in the North-West Frontier Province of Pakistan

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Abstract: The forests of the North-West Frontier Province (NWFP – now known as Khyber Pakhtunkhwa) of Pakistan are vanishing at high rate in spite of more than two decades of donors led interventions and extensive forest governance system led by the state. Failure of most of the forest related projects and policies in meeting their intended objectives calls for searching out the underlying causes of the ineffectiveness of such interventions. The importance of stakeholders' analysis has been stressed by many development researchers. A holistic analysis of the stakeholders, conflicts and power relations is an essential step to ensure the sustainability of development interventions and active participation of local actors. There is a wide range of actors who can influence or can be influenced by any forest related intervention in NWFP. This paper, therefore, presents an exploratory analysis of the stakeholders' characteristics, power relations and conflicts in the context of interventions in the forestry sector of NWFP. Various groups of stakeholders for example local communities, civil society organizations, religious and traditional institutions, state agencies, global actors etc. are trying to operate within the contested political arena of NWFP. The paper shows that on the one hand, the state as well as donors led interventions do not really engage in a meaningful dialogue with the local stakeholders and institutions, and on the other hand these entities themselves are not in a position to initiate a change in local resource use. Thus, a way forward is seen in fostering a dialogue among key stakeholders.

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6 Forest Related Interventions and the Stakeholders of Forests in the North-West Frontier Province of Pakistan¹

Abid Q. Suleri, Babar Shahbaz and Urs Geiser

The forests of the North-West Frontier Province (NWFP – now known as Khyber Pakhtunkhwa) of Pakistan are vanishing at high rate in spite of more than two decades of donors led interventions and extensive forest governance system led by the state. Failure of most of the forest related projects and policies in meeting their intended objectives calls for searching out the underlying causes of the ineffectiveness of such interventions. The importance of stakeholders' analysis has been stressed by many development researchers. A holistic analysis of the stakeholders, conflicts and power relations is an essential step to ensure the sustainability of development interventions and active participation of local actors. There is a wide range of actors who can influence or can be influenced by any forest related intervention in NWFP. This paper, therefore, presents an exploratory analysis of the stakeholders' characteristics, power relations and conflicts in the context of interventions in the forestry sector of NWFP. Various groups of stakeholders for example local communities, civil society organizations, religious and traditional institutions, state agencies, global actors etc. are trying to operate within the contested political arena of NWFP. The paper shows that on the one hand, the state as well as donors led interventions do not really engage in a meaningful dialogue with the local stakeholders and institutions, and on the other hand these entities themselves are not in a position to initiate a change in local resource use. Thus, a way forward is seen in fostering a dialogue among key stakeholders.

6.1 Introduction and background

Majority of Pakistan's natural forests are located in the mountainous region of North-West Frontier Province (NWFP); however these forests are vanishing at an alarming rate (Suleri, 2002). According to the FAO (2005), during the years 2000 and 2005 the deforestation rate in Pakistan reached 2.1% annually – one of the highest in the world. In response to this, the provincial Forest Department (FD), which is mandated as the warden of forests, received enormous support from various donor agencies in the form of development projects.²

A range of forest policies was also announced by the Government of Pakistan in 1955, 1962, 1975, 1980, 1988, 1991 and 2001 (draft). Most of these forest policies were promulgated with the aim of increasing forest cover and sustainable forest management (Ali et al., 2007a). Nevertheless, in spite of over 20 years of intensive international donor support to the provincial FD, the pressure on forests continues unabated (Geiser and Steimann, 2004) and the deforestation rate in the province remained high (Ali et al. 2006). Failure of most of the

¹ Published in SDPI (ed.) (2009). Sustainable Solutions: A Spotlight on South Asian Research. Sama Pubs. 2009. Re-published with the permission of the publisher.

² For an overview on such projects, see Table 1 in chapter 3 (by Geiser).

forest related projects and policies in meeting their intended objectives calls for searching out the underlying causes of the ineffectiveness of such interventions and policies. Some researchers stressed the importance of stakeholders' analysis. For instance Grimble et al. (1995) elucidated that many efforts at environmental management fail because they pay insufficient attention to different stakeholders and their particular interests. They further stated that "Policymakers' and planners' failure to recognise the different and potentially conflicting interests of the various stakeholders, and what each stands to lose or gain from exploitation or conservation, has frequently led to local resistance to policies and projects which therefore fail to meet their intended objectives." This paper is therefore written on the basis of the assumption that the analysis of various stakeholders, their characteristics and relationship with one-another is a logical starting point for the analysis of natural resource management (see also Larson and Ribot, 2004; Nilsson, 2005).

Empirical context of this paper is generally based on a review of literature produced by the Pakistan Research Group of the National Center for Competence in Research (NCCR) North-South as well as other related publications. NCCR-North-South is a long term programme of the Swiss National Science Foundation, based on a network of partnerships with research institutions in the South and East, focusing on the analysis and mitigation of consequences of global change and globalization (Hurni et al., 2004).³

6.1.1 Stakeholders: definitions and perceptions

Generally speaking, stakeholders are individuals or organizations with a stake (vested interest) in a particular project or program (Worthen et al., 1997); whilst Hemmati (2002) defines stakeholders as, those who have an interest in a particular decision, either as individuals or representatives of a group. This includes people who influence the decision, or can influence it, as well as those affected by it. In other words, stakeholders include all those who affect, and/or are affected by, the policies, decisions, and actions of the system; they can be individuals, communities, social groups or institutions of any size, aggregation or level in society. The term thus represents policy-makers, planners and administrators in government and other organizations, as well as commercial and subsistence user groups (Grimble et al., 1995).

While embarking on the identification of stakeholders, it thus needs to be reflected on

- the *issue* regarding which individuals or organisations do have their stake,
- the *individuals and organisations* having a stake in this specific issue,
- the nature of their *stake*,
- whether the specific stakeholder group has a *homogenous stake or not*,
- and the ways and means by which they try to *justify, secure or influence* their stake vis-à-vis other individuals and groups, who may have different stakes in the same issue.

³ For details please visit www.north-south.ch and for the Pakistan Research Group: www.nccr-pakistan.org.

This review is concerned with forests in the North-West Frontier Province (NWFP) of Pakistan. These forests are serving a multitude of interests and supply a whole bundle of important natural resources to many groups of people (see section 6.2 for details). Thus, a **first stake** (or vested interest) emerges around the utilization of forests.

As there are many societal groups interested in using forest resources, a need to coordinate their various interests emerges – on the one hand to secure that needs are met, and on the other hand to secure that the forest resources are not over-exploited and are available for future generations as well. Usually, it is the State that is mandated to care for this societal coordination. Thus, a **second stake** can be identified around the interest in ‘participating’ in this state-led coordination and decision-making regarding forest management. Here, issues of influence, power, conflicts and legitimacy become central.

6.2 The major stakeholders in natural forests in the NWFP

There exists indeed a vast range of stakeholders who on the one hand do have a stake in the use of forest resources, and on the other hand are involved to varying degrees in the state-led decision making, coordination, interventions and management of these resources. These stakeholders have different rights and claims in the forest, and different means of securing these (Ahmed and Mahmood, 1998; Suleri, 2002; Sultan-i-Rome, 2005; Steimann, 2003; Shahbaz, 2007). Therefore, to enter the discussion, we utilise the main terminology used in describing the entities of a modern postcolonial nation state, i.e., the citizens of Pakistan, the state authorities, local governments, civil society, private sector etc.. This will, however, be further refined in the discussion that now follows.

6.2.1 The citizens

In this section, we analyse the stakes that various groups of Pakistan citizens do have in forest use and forest management. At a first level, a distinction can be made between:

- People who live close to the forests: In general, as distance to forests is low, they may have inherited rights in the adjacent forest lots and can meet their requirements from there.
- People who live in a distance from the forests: These usually have no use-rights in forests – simply because there are no forests. While some can produce part of forest products along their fields, most depend on the market for their supplies. This refers to rural and urban areas. Thus, forest product traders become important.

People living close to forests

To describe people living close to forests, often notions such as ‘forest dwellers’ or ‘local communities’ are used (e.g. Larson, 2001; Shackleton et al., 2002; Rosyadi et al., 2005). However, it is important to define what exactly is meant by the notion of ‘local community’. In the early developmental stage of participatory natural resource management, communities were often defined as a distinct social group in one geographical location that shares common cultural characteristics and shows a high degree of egalitarian social structures (Leach et al.,

1997). However, research has shown that this was a misleading assumption. A ‘community of place’ is rarely a ‘community of interest’ and thus not a homogeneous entity, as there are a number of different social groups based on gender, income level, age and ethnicity (Paul-Lee, 2002).

In the context of the NWFP, Ahmed and Mahmood (1998) identified three main categories of stakeholders amongst the local people, i.e., *guzara* forest owners, *right-holders*, and *non right-holder* forest users. Recent empirical studies (Awais, 2005; Steimann, 2005 and 2006; Ali et al., 2006; Shahbaz and Ali, 2006) have revealed that fuelwood is of utmost importance for *subsistence oriented livelihoods* especially in the highland areas of the NWFP where affordable alternative sources of energy are still missing. However, the role of forests in *income-oriented strategies* is negligible (Shahbaz, 2007; Ali et al., 2007b).

Nevertheless, the categories of ‘people living close to forests’ need to be further specified, taking into account the peculiar historical context of the NWFP. These historical developments structure today’s stakeholder typology and especially the rights they enjoy. Thus, the forested areas in the Malakand and the Hazara Divisions⁴ need to be addressed separately.

a) Hazara Division

The areas east of river Indus came under colonial rule with the annexation of the Punjab by the British in 1849 (Geiser, 2005). Within this controlled territory, first rules regarding forests were written for Hazara in 1855, and draft rules were published in late 1856 for Murree (Stebbing, 1926). These rules declared forests and ‘shrubs of spontaneous growth’ as the property of the government. In addition to these state-controlled forests, some forests close to villages were declared as *guzara* (subsistence) or community forests, to meet local subsistence requirements. A much stricter Forest Act appeared in 1878, allowing the constitution of reserved and protected forests, and also specifying the procedures of forest settlement required to declare forests as reserved (Geiser, 2005). As a consequence, and following forest settlement, most forests in Hazara (except *guzara* forests) were declared as *reserved forests*, and handed over for management to the FD.

As a consequence, we today find local people either having access to *guzara* forests either as owners (right holders) or landless and marginal groups, but both are depending on FD regulations to benefit from forests.

b) Malakand Division

Unlike Hazara, the areas containing natural forests to the west of river Indus became part of the modern nation state of Pakistan only in 1969. Prior to 1969, this area was governed by three distinct and rather independent *princely states*, i.e. Swat, Chitral and Dir. Thus, the area was outside the direct jurisdiction of the colonial forestry services. Instead, decisions related to the access to forest resources and distribution of benefits, management of the resources,

⁴ The ‘division’ as an administrative tier was ceased to exist in 2001, however we use this term to describe geographical context.

and responsibilities were rooted in socio-cultural mechanisms called *Riwaj* or customary law (for further details, also on regional differences in *Riwaj* see Sultan-i-Rome, 2005).⁵

A specific group of non-right holders in forests is the *Gujars*. This tribe is landless, traditionally, relies on livestock for their livelihoods. In Malakand most of the *Gujars* families are nomads but some have permanently settled in certain areas. The nomadic *Gujars* pay rent (called *Qalang*) to right-holders for using their land as pastures for their cattle.

In 1969, the princely states were merged into Pakistan, and the Pakistan forest legislation was extended to this area around 1973 as well. This legislation was basically the Forest Act of 1927 (which differed little from the Forest Act of 1878; Geiser 2005). As forest settlement was still due, most forests to the west of River Indus were thus declared as *protected forests* (being an intermediary category towards reserved forests), subject to the payment of a certain percentage of *royalty* to the forest right-holders. The legitimacy of declaring the forests of the former princely states as forests of the Pakistan nation state, though, is disputed.

Thus today, we find in the Malakand Division local people who continue to perceive themselves as forest right-holders, while others are perceived as non-right holders. The State perceives forests as state forests, though giving royalty to ‘right-holders’. As a consequence, everyday practice of local people regarding access to forests is still dominated either by *riwaj*, or resembles to a certain level an open access regime – as the legal situation is disputed.

People living far from forests

Forest products are needed not only by people living close to forests, but by all Pakistani citizens, including those in the NWFP, that live in considerable distance from forests such as the plains of Swabi or Peshawar. Here, no natural forests are found, and land owners raise fast-growing species such as poplar and eucalyptus along agricultural fields (Steimann, 2005). These trees can supply some of the requirements, but recent research highlighted that many people buy fuelwood as well as timber from the market (Steimann, 2005). This implies that timber and fuelwood trade is of considerable importance.

Therefore, we mainly find three groups of stakeholders here: people who depend fully on markets for their needs in forest products; people who can supply part of these needs themselves; and the forest product traders.

6.2.2 The state

Since 1947, Pakistan is an independent state, modeled along the lines of the modern nation-state. This includes the division of responsibility between the *legislature* (elected parliament), the *executive* (i.e. the administration), and the *judiciary*. Being a federal state, duties and responsibilities regarding specific subjects are divided between the federal level, the provinces, and the decentralised local governments.

⁵ See specifically chapter 7 in this volume.

Federal level: the Inspector General of forests

According to constitution of Pakistan, the field of 'forestry' is a provincial responsibility in Pakistan and planning, execution and implementation of forests and range management programs are vested in provincial forest departments (Ahmed and Mahmood, 1998). However, at federal level, the Federal Forestry Board and the Inspector General of Forests, in the Federal Ministry of Environment, Local Government & Rural Development is responsible to formulate a national forest policy, undertake strategic planning, and coordinate with provincial governments in processing technical proposals on forestry and issues related to natural resource management (FAO, 2003; Simorangkir, 2006). It is also responsible for liaison with international agencies, ensuring compliance with international treaties, conventions and protocols, and inter-provincial co-ordination and legislation etc. (Rothen, 2006).⁶

Provincial government

At the level of the legislature, the parliament of the NWFP is an important entity as it discusses and decides upon forestry regulations. The parliament also has specific committees to advise the house on certain issues, such as the Environmental Committee. However, the elaborations and impact of these committees have so far not been researched. The elected MPAs (members of provincial assembly) are important representatives of local interests, and it is often reported that they bring concerns of local forest right-holders to the attention of the persons in charge of the state's executive, such as FD officials.

The Forest Department

The provincial government of KP manages the forests through the Chief Conservator of Forests (CCF) with his office in the provincial capital Peshawar followed by the lower officials. The CCF usually has a small team of professional foresters, called staff officers, in their offices to help them with policy, planning and general administration. Under the CCF, there are Conservators of Forests, each in turn supervising Divisional Forest Officers (DFOs). The DFOs are heads of the *Resource Management Unit* (forest divisions), which are the basic units of forest administration and management. Each forest division is subdivided into 4 subdivisions or ranges (now called *Resource Management Sub-Units*) headed by Range Officers (RO), who in turn supervise 3-4 Foresters each. The lowest forestry official is called a Forest Guard (FG), whose main responsibility is the protection of forests. A FG looks after an area known as a *Beat*, and 3-4 Beats constitute a *Block* which a Forester heads.

These state actors are responsible for the implementation of the forest policy and related development interventions. In the course of the institutional reform process, a new NWFP Forest Policy was promulgated in 2001, followed by a new Forest Ordinance in 2002.

⁶ As a consequence of the 18th Amendment to the constitution of Pakistan in 2010, the functions of the Inspector General of Forests have been devolved to the provinces.

At the local level, interaction with local stakeholders is to take place through *Joint Forest Management Committees (JFMCs)*.⁷ The provincial Forest Ordinance of 2002 gives DFO powers to assign any reserved, protected or guzara forest to a JFMC, whose functions are to protect, harvest and manage the forest. JFMCs have 15 elected members: seven from among the owners/right-holders; three from among the non-owner beneficiaries; one from a local NGO; and two as elected councillors. The DFO also nominates two NWFP Forest Department staff members to the JFMC (Simorangkir, 2006). So far 77 JFMCs were in place in the province as of the year 2006. *De jure* status of JFMCs is democratic that involve community members in forest conservation and timber harvesting. The FD staff, however, openly concedes that the bulk of the JFMCs are created solely for harvesting and rarely for forest protection (Khan et al., 2006).

The Forest Development Corporation

Forest Development Corporation (FDC) is a semi-autonomous forestry body (Khan et al., 2006). While the Forest Department is in charge of forest management planning up to the level of marking trees for felling, actual timber harvesting in reserved as well as protected forests is the mandate of the Forest Development Corporation. FDC used to advertise the lots to be harvested, upon which private timber contractors submit their tenders. The contractors are responsible for felling the trees only and FDC remains the owner of the logs. Generally the cheapest bidder is considered. However, many irregularities were reported in this system. For example, the contractors advised their labourers to cut more than the marked trees, and more of the valuable species and sell these illegally; etc. therefore, FDC came under severe attacks for not properly supervising private timber contractors (Geiser, 2000). The forest owners and right holders are also averse to the harvesting and marketing of their timber by the FDC, which they consider to be inefficient (Ahmed and Mahmood, 1998)

Following heavy floods in 1992, a nation-wide ban on commercial timber harvesting has been imposed in 1993. As a result, FDC had to restrict harvesting activities mainly to so-called 'windfall' trees. As a consequence of the ban, royalty payments to the right holders ended (Shahbaz, 2007), and local people lost job opportunities in the timber harvesting field (Steimann, 2005).

6.2.3 Local governments

In 2001, through the Devolution of Power Plan, most of the state functions were handed over to districts governments, but the forestry sector was among those few sectors that were *not* devolved and the forests remained as the responsibility of provincial governments (Geiser, 2005). Only the farm forestry component was devolved and handed over to the district administration (Steimann, 2003). Therefore, regarding natural forests, there is no formal link between the local governments and the Forest Department. Thus, the district governments

⁷ Steimann (2003) identified a big gap between *de jure* and *de facto* forestry and argued that within the department, few powers only have been devolved to lower levels of the (still very strong) hierarchy. Important decisions concerning local activities remain with higher officials, which therefore keep much influence on the extent of the reforms' implementation in the field. See specifically chapter 5 in this volume.

have no formal influence on the matters regarding natural forests; still local governments are the main stakeholder, as the local governments are mandated to take care of interests of local communities who are dependent on forests for subsistence. As a consequence, communication gaps and mistrust were found between the local governments and the Forest Department (Shahbaz, 2007). Nonetheless, with devolution of powers to the district level, the issues related to forests are becoming increasingly complex as more and more stakeholders are involved (Simorangkir, 2006).⁸

6.2.4 Civil Society

Civil society consists of the groups and organizations, both formal and informal, which act independently of the state and market to promote diverse interests in society (World Bank, 2002). Following this definition, we find many social groups and organizations in the context of the forestry sector of NWFP, ranging from community based organizations such as village committees (Steimann, 2003; Awais, 2005; Shahbaz, 2007) to non-governmental organizations (Ahmed and Mahmood 1998), to the traditional *Jarga* – the assembly of tribal elders – (Ahmad, 2000; Sultan-i-Rome, 2005), and religious groups (Sultan-i-Rome, 2005) etc.

Non-governmental organizations (NGOs)

There are many (modern) NGOs working in the forest-rich districts of the NWFP, the prominent among all is the *Sungi Development Foundation*, which was established in 1989 as a non-profit and non-governmental public interest organization. It was an initiative of a group of socially and politically active individuals from the mountainous regions of NWFP itself. The organization is presently working in various districts of NWFP as well as in other provinces of Pakistan (Shahbaz, 2007). Sungi remained critical of the state institutions, particularly the Forest Department and the ADB-led forest reform process.

Sungi had also helped in the establishment of the *Sarhad Awami Forestry Ittehad* (SAFI; People's Alliance on Forestry in NWFP), an alliance of various forest stakeholders which are challenging the state forest reform process (Khan et al., 2006). Their aim is to protect the forest and people's rights, and SAFI argues that these rights are not properly taken care of in the initiative towards participatory forest management.⁹

Community-based organizations (CBOs)

Several forms of CBOs exist in the rural areas of NWFP – though all of them emerged *out of interventions by development donors*. Village Development Committees (VDCs) were for example formed for the implementation of development interventions (Ali et al. 2007a). However, these committees either did not survive the period of specific projects, or are usually controlled by the Forest Department (Steimann, 2003 and 2004). Our field researches also revealed that, by and large, the common villagers did not participate in the activities of

⁸ The system of decentralisation introduced in 2001 and described in this section, has been abolished in the context of the 18th Amendment to the constitution of Pakistan.

⁹ On SAFI see chapter 8 in this volume.

such committees and usually only direct members participated in the monthly meeting of the committee (Shahbaz, 2007). Moreover, due to frequent changes in the forest policies in the past (Shahbaz and Ali, 2006) local people as well as members of VDCs are not sure of the sustainability and continuity of the current institutional changes (Ali et al., 2007a).

Women participation in development-related activities is negligible. The main cause reported is the male dominance and the influence of religious groups in the rural areas of the NWFP. A male – especially in the Pashtoon areas – is considered disgraced if his wife or sister come out of the home and participate in the meetings (Shahbaz, 2007). Another reported factor regarding the disappointing performance of Women's Organisations (WOs) is the lack of capacity and leadership in the female population of the rural areas of NWFP. The female literacy in rural NWFP is only 21.7% as compared to 59.2% for the males (Govt. of Pakistan, 2006). So far, insignificant efforts have been made regarding women rights and gender mainstreaming in the province. In context with the forest management there is a lack of female organizers.

In many villages two or three or even more CBOs formed by the Forest Sector Project, *Sungi*, SRSP etc. were found working without any formal collaboration and interaction among them. In addition, none of these VDCs or WO were linked to the local government system for example by means of the Citizens Community Boards.¹⁰ Thus, a general lack of the integration of efforts and coordination among various agencies working in the forest areas of NWFP was found during the field surveys (Shahbaz, 2007).

Jarga – the assembly of elders

Jarga means council, assembly or meeting in *Pushto* language. It may also refer to a community council of elders. *Jarga* is normally composed of elderly males often belonging to the dominant tribes of a village. The youth, women, minorities and (sometimes) less powerful or small tribe of the village have no representation in the *Jarga*.

The role of *Jarga* is that of conflict resolution. Our research revealed that the role of *Jarga* as a civil society for initiating social movements of its own was very limited. But civil society groups such as NGOs, CBOs, donor driven initiatives etc. had often to get support of *Jarga* to penetrate in the rural society and get wider acceptance of their interventions. The direction and support of *Jarga* members for participation in all development works by the local people is considered an important step. However, the male oriented, male dominated and more elite represented *Jarga* is perceived by developmental NGOs as a barrier to gender mainstreaming and equity in the rural society of NWFP.

¹⁰ Under the 2002 decentralisation programme (now abolished), villagers were invited to form groups around common interests. These groups (i.e. Citizens Community Boards) were then to receive support for specific activities.

In the field of forestry, *Jargas* play a crucial role in the distribution of royalty especially in Malakand. In such cases where the royalty is to be distributed to the *khel* (tribe), the decision of the *Jarga* is mostly acceptable and un-challengeable.¹¹

Religious groups

Majority of the rural population of Pakistan in general and NWFP in particular is Muslim and religion has deep roots in the culture and traditions of the society. The religious leaders who belong to different schools of thoughts (or sections of Islam) are widely respected by their respective followers. Many of these people being trained and educated in the confined atmosphere of *Madrassa* (the religious school) are orthodox in nature.

One of the obstacles to the gender mainstreaming and ineffectiveness of the Womens Organisations (also in the context of joint forest management) is the strong influence of some religious factions in the rural NWFP. According to Sattar and Baig (2001), “throughout 2000, NGOs were subjected to repeated verbal assaults by religious leaders. The attacks came despite the support extended by the government ministers to NGOs calling for occurred inclusion in advisory panels and in undertaking work at the grassroots level. Religious extremists continue to accuse development and advocacy-oriented NGOs of working against ‘national ideology’ by spreading liberal and secular values.”

In spite of the fact that the religious groups have deep roots in the socio-cultural settings of the rural NWFP, there is not much deliberation regarding the involvement of such groups in the institutional reform process concerning forest management. A speech by an *Imam Masjid* in a mosque about the importance of trees and forest protection can be much more effective in changing the attitude of the local people, as compared to the lecture made by a forestry official. Although the mosque was used (in some of the villages studied) for the announcement regarding the meeting of community-based organisations (CBOs), the involvement of the *Imam Masjid* in the activities of village level CBOs, awareness raising campaigns, tree plantation activities etc. were generally negligible (Shahbaz, 2007).

6.2.5 The private sector

Traders of forest products (or timber) – as representatives of the private sector – play an important role in supplying forest products to people living far from forests. But in the forested regions as well, private sector entities are important. For example, actual timber harvesting in reserved and protected forests is done by private contractors, selected by the Forest Development Corporation. Other private ‘entrepreneurs’ are purchasing royalty rights from the actual forest-right holders. Last but not least, private sector people are engaged in processing forest products, ranging from timber to non-timber forest products. In the following, we briefly discuss these entities, as they represent crucial stakeholders as well.

¹¹ As detailed in chapter 1 in this volume, the timber harvesting ban of 1993 also affected the distribution of royalties.

Contractors

In NWFP, FDC is responsible for timber harvesting in accordance with the working plans prepared by the Forest Department. Private timber contractors acquire the contracts of timber harvesting from FDC through open bidding process. Most of these contractors used to practice various illegal means such as over-harvesting, cutting of unmarked trees etc. (Geiser, 2000). Since 1993, the commercial timber harvesting has been ceased but some of the contractors have continued their business with the help of the nexus of Forest Department officials, police, and local politician.

Under the new institutional arrangement, JFMCs are supposed to carry out commercial harvesting activities. But still timber contractor would be the main players because (according to Simorangkir, 2006; and Khan et al., 2006) the lack of capital for harvesting will force the JFMCs and forest owners to rely on the old practice of selling their royalty shares to timber contractors for much lower advance payments. Furthermore many office bearers of JFMCs are related to contractors or forest officers (Simorangkir, 2006). These contractors also have deep roots in provincial politics and bureaucracy (Ahmed and Mahmood, 1998); therefore they are the key actors and have strong influence on policy making process.

There is also a large group within timber traders and contractors which purchases the royalty from right-holders. Usually such contractors approach local right-holders and purchase their royalty rights at lower cost than the actual value of the royalty share. Many right-holders agree, as they immediately get money into their hands, not having to wait for their actual royalties, as the official procedure of royalty distribution is a very time-consuming one (Geiser, 2000). To ensure that right-holders agree to their deal, the contractors in advance ensure the support of influential elders and members of local *Jarga* by offering them a part of the profit (Ahmed and Mahmood, 1998). To control and regulate selling and purchasing rights, the NWFP government passed legislation in 2001 that makes the presence of the original right holder compulsory when royalties are distributed. This initiative has yet to be tested as no commercial harvesting has been carried out since imposition of the national ban in 1993 (Simorangkir, 2006).

Wood based industry

The wood-based industry of Pakistan – generally comprises of furniture, sports goods, construction, plywood, wooden crates and boxes, matches, and paper – relies heavily on a continuous supply of timber. Due to high cost on high-value timber and logs most of the manufacturers rely on the local markets. The sports goods industry is one of the major export-oriented industries of Pakistan. The raw material from sports industry comes mainly from irrigated plantations (poplar, willow, mulberry and eucalyptus trees).

There are numerous small scale industries and processing activities in rural areas that use wood as their main fuel. These rural industries and activities include; tobacco curing, gur (sugar) making, blacksmithing, goldsmith, pottery making, small-scale brick kilns, milk products, dyeing of wool yarn carpet, and clothes, laundering, road tarring, rural bakeries and ovens, village hotels and restaurants, poultry farms etc. The industries entirely or partially

rely on wood from natural forests, private farmlands, biomass and agro-forest residues.¹² In rural areas such industries depend mainly upon locally collected woodfuel and other biomass. The industries located in urban and peri-urban areas get their woodfuel supplies mainly from the traded sources (Sial, 2002).

6.2.6 The ‘Timber Mafia’

Though a ban on timber harvesting was imposed in 1993, market demand did not stop. As one consequence, timber price in Pakistan is very high (Khan et al., 2007). As a next logical consequence, illegal timber harvesting became widespread throughout the highlands of the NWFP.

After the timber harvesting ban, the notion of ‘timber mafia’ became common in north-western Pakistan. It refers to a network of various actors (political leaders, state forest officials, influential local elders and outsiders, businessmen, transporters, police etc.) established with the single purpose of making money from cutting and selling timber illegally. This nexus emerged through the use of certain practices like networking, bribing, black-mailing, and exporting local timber and importing ‘foreignised’ timber (Geiser, 2000). These individuals have been able both to manipulate legislation to serve their interests and to block changes in the law that would make forest management more participatory and sustainable (Gizewski and Homer-Dixon, 1996).

The Forest Department is blamed by civil society to be involved in the illegal timber cutting and facilitating the timber mafia (Ali et al., 2006). Some of the politicians and even members of the national and provincial assemblies are also believed to be supporting or be part of the timber mafia (Shahbaz, 2007).

6.3 Discussion

We have described the characteristics and roles of different stakeholders in the context of the forestry sector of NWFP. We have seen that there is a wide range of actors involved, having different kinds of stakes. Regarding these stakes, we mainly distinguish on the one hand the stake they have in using forests and forests products, and on the other hand the stake or influence they have in state-led forest management and decision-making (including related interventions and reform programmes).

In the next section, we will discuss the identified stakeholders in view of these stakes. This is followed by a review of the main stakeholder conflicts, and by reflections on potential ways out of these conflicts.

6.3.1 Stakeholder conflicts

Different actors on different levels have different bargaining power. This shapes the way they interact and the ideologies they use in order to justify their interests. The important aspect,

¹² Proceedings of the national workshop on wood-based energy systems for rural industries and village applications. 3-5 March 1996, Peshawar, Pakistan. Regional wood energy development programme in Asia (RWEDP Report No. 31). FAO Bangkok.

however, is how the different actors are viewed by each other in terms of reputation and trustworthiness. Our research indicates that there are several lines of stakeholder conflicts – conflicts that prevent the development of more sustainable forest management procedures. Some of these lines of conflicts are discussed in the following.

Conflicts among the local communities

Local communities are not homogenous social groupings, but highly stratified entities. The fact that the local communities are very heterogeneous and stratified into many sub-groups is generally not considered seriously by many development projects and interventions. Regarding forests, we find groups which claim rights on forests legitimated by customary arrangements – arrangements in which other groups are perceived as non-right holders. These traditional stratifications are still valid today, and are accepted by the state in an indirect manner, especially when it comes to the distribution of forest royalties.

Also around *guzara* there are unequal forest ownership patterns (Khan et al., 2006) i.e., some big owners, many small owners and landless (Shahbaz, 2007). Although a large number of JFMCs are in place but most of these committees are dominated by the big owners, while the small owners and landless blame them for over exploitation of forests.

Timber is one of the most expensive commodities. The most powerful actors within the state as well as inside the communities (i.e. local elites) - who are all profiting from timber trade - are not interested to change the informal institutions based on the weak formal institutions, because they would be on the losing side. Poffenberger (2000) also narrates “much of the resistance to policy reform comes from those that benefit from the status quo, including large land owners, timber merchants, politicians and foresters involved in profitable enterprise.” Therefore, despite various measures and policy recommendations to minimize the negative influence of powerful local elites, they continue to be active players (Ahmed and Mahmood, 1998) mainly in logging and other commercial activities.

Conflicts between local communities and the state authorities

The various entities that constitute the ‘local communities’ living in and around the forest areas are important groups of stakeholders in the context of forests in NWFP. They use forest resources for the subsistence (fuelwood, construction timber etc.) because of the absence of any alternative option.

Mistrust, lack of communication and confidence between the local forest users and officials of Forest Department are reported in the recent empirical studies (Steimann, 2004; Ali et al., 2006). According to Simorangkir (2006), “one of the main reasons for the failure of interventions in the forestry sector at the community level [in NWFP] is the lack of cooperation from local communities, most of which are against the State functionaries of forest departments. This conflict is the result of forest departments’ lack of sensitivity to the customary laws that communities have been practicing and perfecting over generations of living with nature.” An especially interesting case is that of the protected (state) forests. Most protected forests remain un-demarcated, a process which local people resist (Poffenberger, 2000). Based on traditional institutions, some people still are of the opinion that they own the

forest, while others (the state, non owners, landless) do not seem to be able to claim a customary land title. Those who hold such traditional titles see themselves as being the owners of that land, thus not accepting the legal ownership by the state (Steimann, 2003). The state is not perceived as a mandated caretaker of the forests in the name of the people, but rather as being in competition with the interests of local people (Geiser, 2005).¹³

Conflicts between state agencies and local governments

Another predicament is the fact that in the NWFP, there is no formal link between the local governments and the Forest Department. Therefore, there is no co-ordination between these important institutions. The main reason for this weak link is that the forestry sector was among those few sectors that were not devolved (not handed over to the local governments) and the provincial Forest Department is the main ‘custodian’ of the forests (Steimann, 2005; Shahbaz, 2007). The state thus holds the key decision making powers; whereas the evidences from the developing countries (for example Malla, 2000; Shackleton et al., 2002; Miyuki and Boonthavy, 2004) indicate that local governments have been able to demonstrate capacity and initiative in natural resource management. Effective forest management requires some degree of local participation to ensure the responsiveness of local government to local needs. On the other hand, the process of decentralization can itself enhance the opportunities for participation by placing more power and resources at a level of government that is closer to the people and therefore influenced more easily (Bergh, 2004).

6.3.2 Forest related interventions – past experiences

The conflict between customary regulations and the top-down state system – and high deforestation – made the state policy makers (and donors) to realize the need for a more participatory (or decentralized) forest management (Suleri, 2002). Therefore many (donor funded) participatory forestry projects and extension programmes were implemented in NWFP during 1980s and 1990s, followed by the ADB-initiated forest sector reform process. The participatory forestry approach (or joint forest management) was institutionalized through this project – though often *de jure* only.

Our field studies have revealed that the staff of the NWFP Forest Department resisted the new approach and they perceived that their authority is threatened (Ali et al., 2006 and 2007a; Steimann, 2003). These actors also fear the loss of informal income (Geiser and Steimann, 2004) with the implementation of participatory approach. Likewise there was no deliberation from the state regarding the involvement (participation) of the broader range of the stakeholders (as per the typology given in this papers) in the participatory forest management initiatives.

Strong political will is inevitable for effective decentralized forest management (Ribot, 2002 and 2004); otherwise it would just reinforce the state control over resources. In the NWFP case, the existing reality suggests that the Forest Department is unwilling to change its bureaucratic, colonial form of governance and top-down attitude, and thus is not willing to

¹³ For details, see chapter 7 in this volume.

allow local people more say in forestry-related issues (Geiser and Steimann, 2004; Ali et al., 2007a). Another related factor is that most of the forest policy initiatives by the state, until recently, were aimed at forest conservation and ignored the livelihood provisions for local communities. However, even the conservation aspect of those policies was never implemented effectively (Shahbaz et al., 2007).

The issue of forest governance (in many countries) is highly dominated by the state versus community discourse (see for example Saigal, 2000; Timsina and Paudel, 2003). The shift towards a participatory paradigm in NWFP was expected to overcome the gap between these two important stakeholders (state and the local communities). However, research showed that most of the people still perceived the Forest Department (FD) as the sole responsible for the depletion of forests (Shahbaz and Ali, 2006; Ali et al., 2006). On top of that, the general perception of the people is that the FD works with the timber mafia and sells their precious forests to the outsiders. On the other hand, the officials of the Forest Department often blame local people for exploitative use of forest resources (Shahbaz et al., 2008). Of course, trust takes time to be built, but it is easily broken, and when a society is pervaded by distrust, cooperative arrangements are unlikely to emerge (Baland and Platteau, 1998; Pretty and Ward, 2001). Therefore, despite the fact that ‘new’ participatory steps are being taken in the NWFP, there is still a huge gap between the state and local people. Castro and Nielsen (2001) also argued that the joint or co-management agreements between the state agencies and other stakeholders, can set into motion new conflicts or cause old ones to escalate.

6.3.3 Potential ways forward

Our research indicates that the remaining natural forests of the NWFP are embedded in a high-conflict social and economic environment. Timber and other forest products are very scarce in Pakistan, which lead to very high prices. The difficult task of searching for ‘sustainable forest management’ and ‘stakeholders participation’ is that one has to deal with formal legal instruments (state forest laws, FD) and informal rules of the game e.g. (customary claims to forests) in a high priced business, where power asymmetries and violent conflicts are often the case (Khan et al., 2006).

Previous attempts at stakeholders’ participation and bridging the conflicts between them indicate the complexity of developing trust among stakeholders – considered as being a crucial prerequisite for the search for more sustainable participatory forest management arrangements. They also showed that trust, though being important, is not the only important dimension. At least following points also need attention:

- The role of *forests in livelihood* strategies: while the NWFP Forest Department is mainly concerned with the protection of forests and the creation of revenue, local people living close to forests perceive forests as one component in their livelihood strategies only. Thus, the integration of the natural resource management initiatives with other livelihood interventions, such as micro credit, infrastructure development, etc., can boost up the effectiveness of such interventions (Ali et al., 2007b).

- The *disputes around the legitimacy* of declaring forests in the erstwhile princely states of Malakand as state forests using the category of protected forests.
- The high *imbalance between supply and demand* in the timber market: At the macro-economic level, the natural forests of Pakistan are not in a position to supply the required goods to satisfy market demands. Thus, the related legal framework of Pakistan needs careful adjustments e.g. in the field of import restrictions, or the fostering of substitutes. This is a policy area that urgently calls for analysis.
- Hardly any attempt was made to institutionalize the *participation of the broader spectrum of stakeholders* (as per the typology given in this paper) in the forest related interventions particularly the joint forest management initiatives.

Coming back to the importance of building trust among the involved stakeholders, research insights showed that specifically two issues contributed to the failure of previous attempts towards more participatory forms of forest management. The first concerns the issue of *who's legitimized* to lead the participatory process and the related dialogues. In most cases, participatory stakeholder dialogues were initiated in the context of donor-supported interventions, in which the FD itself played a central role. Stakeholder dialogues were arranged, moderated, guided and interpreted by either staff of the donor-supported projects, or involved members of the FD.

Our insights suggest that development project staff, but specifically members of the FD, are specific stakeholders in forest-related interventions by themselves, and, in addition, are equipped with considerable powers – powers that other important stakeholders challenge. Thus, FD staff was exposed to a *dual role*, i.e. *having to protect their own stake in forests, while at the same time having to arrange and moderate the dialogue with other stakeholders*.

The second constraint of earlier attempts at building *trust* concerns the range of stakeholders that were called to participate. Most attempts were concentrated at involving – following our typology of stakeholders – right-holders living close to forests. They indeed play a crucial role in the actual everyday use of forests, as our analysis above indicates. The analysis, though, shows that other stakeholders are as important as well when it comes to the actual use of forests. This mainly concerns private sector entities such as timber traders or sawmill operators as well as local civil society. In addition, other stakeholder groups are important as well, but are not residing close to forests. This mainly concerns the vast number of people who live far from forests, but depend on forest products as well. Here, the challenge would be to find ways on how to represent these groups in stakeholder dialogues.

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